



PATENT
Attorney Docket No. BSC-201

#4
D. Buysse
7/31/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Rioux et al.
SERIAL NO.: 10/075,144 GROUP NO.: 3739
FILING DATE: February 14, 2002 EXAMINER: Not Yet Assigned
TITLE: System for Maintaining Body Canal Patency and Methods Thereof

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**

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- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



Duan Wu
Attorney for Applicant(s)
Testa, Hurwitz, & Thibault, LLP
High Street Tower
125 High Street
Boston, Massachusetts 02110

Date: April 23, 2002
Reg. No. (Limited Recognition)

Tel. No.: (617) 248-7808
Fax No.: (617) 248-7100



FORM PTO - 1449 INFORMATION DISCLOSURE STATEMENT				ATTORNEY DOCKET NO.: BSC-201 APPLICANT(S): Rao et al. SERIAL NO.: 10/075,144 FILING DATE: February 14, 2002 GROUP: 3739			
U.S. PATENT DOCUMENTS							
EXAM. INIT.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE	
	A1	3,789,828	2/5/74	Schulte			
	A2	3,938,529	2/17/76	Gibbons			
	A3	3,977,408	8/31/76	MacKew			
	A4	3,985,601	10/12/76	Panagrossi			
	A5	4,026,296	5/31/77	Stoy et al.			
	A6	4,026,298	5/31/77	Grausz			
	A7	4,043,346	8/23/77	Mobley et al.			
	A8	4,151,840	5/1/79	Barrington			
	A9	4,194,509	3/25/80	Pickering et al.			
	A10	4,212,304	7/15/80	Finney			
	A11	4,225,979	10/7/80	Rey et al.			
	A12	4,284,081	8/18/81	Kasper et al.			
	A13	4,307,723	12/29/81	Finney			
	A14	4,334,327	6/15/82	Lyman et al.			
	A15	4,531,933	7/30/85	Norton et al.			
	A16	4,579,554	4/1/86	Glassman			
	A17	4,610,657	9/9/86	Densow			
	A18	4,643,716	2/17/87	Drach			
	A19	4,643,720	2/17/87	Lanciano			
	A20	4,655,777	4/7/87	Dunn et al.			
	A21	4,671,795	6/9/87	Mulchin			
	A22	4,713,049	12/15/87	Carter			
	A23	4,785,059	11/15/88	Fydeler et al.			
	A24	4,787,884	11/29/88	Goldberg			
	A25	4,790,809	12/13/88	Kuntz			
EXAMINER				DATE CONSIDERED			

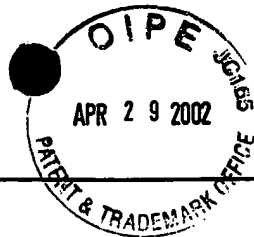
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U.S. PATENT DOCUMENTS							
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A26	4,790,810	12/13/88	Pugh, Jr. et al.			
	A27	4,813,925	3/21/89	Anderson, Jr. et al.			
	A28	4,813,935	3/21/89	Haber et al.			
	A29	4,820,262	4/11/89	Finney			
	A30	4,822,333	4/18/89	Lavarenne			
	A31	4,856,516	8/15/89	Hillstead			
	A32	4,874,360	10/17/89	Goldberg et al.			
	A33	4,878,906	11/7/89	Lindemann et al.			
	A34	4,893,623	1/16/90	Rosenbluth			
	A35	4,913,683	4/3/90	Gregory			
	A36	4,932,938	6/12/90	Goldberg et al.			
	A37	4,932,956	6/12/90	Reddy et al.			
	A38	4,950,228	8/21/90	Knapp, Jr. et al.			
	A39	4,954,126	9/4/90	Wallstén			
	A40	4,955,859	9/11/90	Zilber			
	A41	4,957,479	9/18/90	Roemer			
	A42	4,963,129	10/16/90	Rusch			
	A43	4,990,133	2/5/91	Solazzo			
	A44	5,007,898	4/16/91	Rosenbluth et al.			
	A45	5,019,102	5/28/91	Hoene			
	A46	5,026,377	6/25/91	Burton et al.			
	A47	5,041,085	8/20/91	Osborne et al.			
	A48	5,059,169	10/22/91	Zilber			
EXAMINER				DATE CONSIDERED			

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U.S. PATENT DOCUMENTS							
EXAM. INIT.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE	
	A49	5,061,275	10/29/91	Wallstén et al.			
	A50	5,078,684	1/7/92	Yasuda			
	A51	5,078,720	1/7/92	Burton et al.			
	A52	5,085,664	2/4/92	Bozzo			
	A53	5,096,454	3/17/92	Sample			
	A54	5,097,848	3/24/92	Schwarz			
	A55	5,116,309	5/26/92	Coll			
	A56	5,116,365	5/26/92	Hillstead			
	A57	5,135,536	8/4/92	Hillstead			
	A58	5,141,502	8/25/92	Macaluso, Jr.			
	A59	5,147,370	9/15/92	McNamara et al.			
	A60	5,176,625	1/5/93	Brisson			
	A61	5,176,664	1/5/93	Weisman			
	A62	5,221,253	6/22/93	Coll			
	A63	5,224,953	7/6/93	Morgentaler			
	A64	5,246,445	9/21/93	Yachia et al.			
	A65	5,269,802	12/14/93	Garber			
	A66	5,282,472	2/1/94	Companion et al.			
	A67	5,282,784	2/1/94	Willard			
	A68	5,289,831	3/1/94	Bosley			
	A69	5,344,435	9/6/94	Turner et al.			
	A70	5,346,467	9/13/94	Coll			
	A71	5,352,198	10/4/94	Goldenberg et al.			
	A72	5,354,263	10/11/94	Coll			
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U.S. PATENT DOCUMENTS							
EXAM. INIT.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE	
	A73	5,354,309	10/11/94	Schnepp-Pesch et al.			
	A74	5,356,423	10/18/94	Tihon et al.			
	A75	5,364,340	11/15/94	Coll			
	A76	5,372,600	12/13/94	Beyar et al.			
	A77	5,383,892	1/24/95	Cardon et al.			
	A78	5,401,257	3/28/95	Chevalier, Jr. et al.			
	A79	5,419,764	5/30/95	Roll			
	A80	5,421,955	6/6/95	Lau et al.			
	A81	5,433,723	7/18/95	Lindenberg et al.			
	A82	5,449,373	9/12/95	Pinchasik et al.			
	A83	5,466,242	11/14/95	Mori			
	A84	5,490,521	2/13/96	Davis et al.			
	A85	5,507,769	4/16/96	Marin et al.			
	A86	5,514,176	5/7/96	Bosley, Jr.			
	A87	5,514,178	5/7/96	Torchio			
	A88	5,520,664	5/28/96	Bricault, Jr. et al.			
	A89	5,520,697	5/28/96	Lindenberg et al.			
	A90	5,523,092	6/4/96	Hanson et al.			
	A91	5,525,388	6/11/96	Wand et al.			
	A92	5,527,281	6/18/96	Haas			
	A93	5,527,532	6/18/96	Edelman et al.			
	A94	5,531,741	7/2/96	Barbacci			
	A95	5,540,713	7/30/96	Schnepp-Pesch et al.			
	A96	5,554,147	9/10/96	Batich et al.			
	A97	5,569,219	10/29/96	Hakki et al.			
EXAMINER				DATE CONSIDERED			

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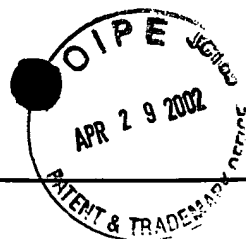
FORM PTO - 1449 INFORMATION DISCLOSURE STATEMENT				ATTORNEY DOCKET NO.: BSC-201 APPLICANT(S): Rao et al. SERIAL NO.: 10/075,144 FILING DATE: February 14, 2002 GROUP: 3739			
U.S. PATENT DOCUMENTS							
EXAM INIT.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE	
	A98	5,599,291	2/4/97	Balbierz et al.			
	A99	5,607,417	3/4/97	Batich et al.			
	A100	5,634,878	6/3/97	Grundeit et al.			
	A101	5,647,843	7/15/97	Mesrobian et al.			
	A102	5,667,486	9/16/97	Mikulich et al.			
	A103	5,674,241	10/7/97	Bley et al.			
	A104	5,681,274	10/28/97	Perkins et al.			RECEIVED MAY - 2 2002 TC 3700 MAIL ROOM
	A105	5,695,517	12/2/97	Marin et al.			
	A106	5,707,386	1/13/98	Schnepp-Pesch et al			
	A107	5,709,874	1/20/98	Hanson et al.			
	A108	5,711,314	1/27/98	Ardito			
	A109	5,716,981	2/10/98	Hunter et al.			
	A110	5,746,723	5/5/98	Freeman et al.			
	A111	5,752,971	5/19/98	Rosenbluth er al.			
	A112	5,766,209	6/16/98	Devonec			
	A113	5,769,818	6/23/98	El Maoued			
	A114	5,776,161	7/798	Globerman			RECEIVED MAY - 1 2002 TC 3700 MAIL ROOM
	A115	5,782,742	7/21/98	Crocker et al.			
	A116	5,782,838	7/21/98	Beyar et al			
	A117	5,788,687	8/4/98	Batich et al.			
	A118	5,792,400	8/11/98	Talja et al.			
	A119	5,824,037	10/20/98	Fogarty et al.			
	A120	5,843,117	12/1/98	Alt et al.			
	A121	5,871,475	2/16/99	Frassica			
EXAMINER				DATE CONSIDERED			



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U.S. PATENT DOCUMENTS							
EXAM INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A122	5,876,417	3/2/99	Devonec et al.			
	A123	5,886,026	3/23/99	Hunter et al.			
	A124	5,902,254	5/11/99	Magram			
	A125	5,902,283	5/11/99	Darouiche et al.			
	A126	5,906,575	5/25/99	Conway et al.			
	A127	5,911,732	6/15/99	Hojeibane			
	A128	5,914,345	6/22/99	Slepian et sl.			
	A129	5,916,195	6/29/99	Eshel et al.			
	A130	5,921,952	7/13/99	Desmond, III et al.			
	A131	5,931,860	8/3/99	Reid et al.			
	A132	5,935,094	8/10/99	Zupkas			
	A133	5,938,682	8/17/99	Hojeibane et al.			
	A134	5,964,744	10/12/99	Balbierz et al.			
	A135	5,971,967	10/26/99	Willard			
	A136	5,980,553	11/9/99	Gray et al.			
	A137	5,985,307	11/16/99	Hanson et al.			
	A138	5,989,230	11/23/99	Frassica			
	A139	5,994,341	11/30/99	Hunter et al.			
	A140	6,004,348	12/21/99	Banas et al.			
	A141	6,013,854	1/11/00	Moriuchi			
	A142	6,017,363	1/25/00	Hojeibane			
	A143	6,019,779	2/1/00	Thorud et al.			
	A144	6,033,413	3/7/00	Mikus et al.			
	A145	6,042,577	3/28/00	Chu et al.			
	A146	6,056,775	5/2/00	Borghini et al.			
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U.S. PATENT DOCUMENTS									
EXAM INIT.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE			
	A147	6,059,808	Boussignac et al.						
	A148	6,063,113	Kavteladze et al.						
	A149	6,066,168	Lau et al.						
	A150	6,069,135	Falk et al.						
	A151	6,087,552	Gregory						
	A152	6,097,978	Demarais et al.						
	A153	6,110,198	Fogarty et al.						
	A154	6,110,212	Gregory						
	A155	6,123,722	Fogarty et al.						
	A156	6,129,756	Kugler et al.						
	A157	6,159,237	Alt et al.						
	A158	6,162,243	Gray et al.						
	A159	6,174,305	Mikus et al.						
	A160	6,176,821	Crocker et al.						
	A161	6,193,745	Fogarty et al.						
	A162	6,238,368	Devonec						
	A163	6,290,666	Devonec						
	A164	6,338,345	Johnson et al.						
FOREIGN PATENT DOCUMENTS									
EXAM. INIT.	DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG Y/N	
	B1	WO 94/18907	9/1/94	PCT				Y	
	B2	WO 94/25093	11/10/94	PCT				Y	
	B3	WO 97/17094	5/15/97	PCT				Y	
	B4	WO 00/66032	11/9/00	PCT				Y	
	B5	WO 01/21229	3/29/01	PCT				Y	
EXAMINER				DATE CONSIDERED					

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OTHER ART, JOURNAL ARTICLES, ETC.			
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)		
	C1	Collier et al., "Proximal Stent Displacement as Complication of Pigtail Ureteral Stent," Urology, April 1979, Volume XIII, No. 4, pp. 372-375.	
	C2	Kwok et al., "Design of infection-resistant antibiotic-releasing polymers," Journal of Controlled Release, April 1999, Vol. 62, pp 301-311.	
	C3	Pugach et al., "Antibiotic Hydrogel Coated Foley Catheters for Prevention of Urinary Tract Infection in a Rabbit Model" The Journal of Urology, September 1999, Vol. 162, pp. 883-887.	
	C4	Hepperlen et al., "Self-Retained Internal Ureteral Stents: A New Approach," The Journal of Urology, June 1978, Vol. 119, pp. 731-734.	
	C5	Mardis et al., "Polyethylene Double-Pigtail Ureteral Stents," Urologic Clinics of North America, February 1982, Vol. 9, No. 1 pp. 95-101.	
EXAMINER		DATE CONSIDERED	

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PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Rioux et al.
SERIAL NO.: 10/075,144 GROUP NO.: 3739
FILING DATE: February 14, 2002 EXAMINER: Not Yet Assigned
TITLE: System for Maintaining Body Canal Patency and Methods Thereof

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Assistant Commissioner for Patents, Washington, DC 20231 on this 23rd day of April, 2002.


Diane Racicot

Assistant Commissioner for Patents
Washington, D.C. 20231

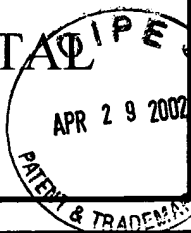
Sir:

Submitted herewith are:

1. Transmittal Form (1 pg.);
2. Information Disclosure Statement (2 pgs.);
3. Form PTO-1449 (8 pgs.);
4. Cited References (A1-A164, B1-B5, C1-C5);
5. Copy of Limited Recognition (1 pg);
6. and a return receipt postcard.

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TRANSMITTAL FORM



Application Serial Number	10/075,144
Filing Date	February 14, 2002
First Named Inventor	Rioux
Group Art Unit	3739
Examiner Name	Not Yet Assigned
Attorney Docket No.	BSC-201

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ENCLOSURES (check all that apply)


<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Transmittal of Formal Drawing including Drawings [Total Sheets] <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Information Disclosure Statement (2 pgs.) <input checked="" type="checkbox"/> Form PTO-1449 (8 pg.) <input checked="" type="checkbox"/> Copies of IDS Citations (A1-A164, B1-B5, C1-C5) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert to a Provisional Application <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund <input type="checkbox"/> After Allowance Communication to Group	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (<i>Appeal Notice, Brief, Reply Brief</i>) <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure(s) (<i>please identify below</i>) <input checked="" type="checkbox"/> Copy of Limited Recognition (1 pg)
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CORRESPONDENCE ADDRESS

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Respectfully submitted,

 Date: April 23, 2002
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 Fax No.: (617) 248-7100
 Duan Wu
 Attorney for Applicants
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110



COPY

BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATE PATENT AND TRADEMARK OFFICE

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

Duan Wu is hereby given limited recognition under 37 CFR § 10.9(b) as an employee of Testa, Hurwitz & Thibault, LLP to prepare and prosecute patent applications wherein the patent applicant is the client of Testa, Hurwitz & Thibault, LLP, and the attorney or agent of record in the applications is a registered practitioner who is a member of Testa, Hurwitz & Thibault, LLP. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Duan Wu ceases to lawfully reside in the United States, (ii) Duan Wu's employment with Testa, Hurwitz & Thibault, LLP ceases or is terminated, or (iii) Duan Wu ceases to remain or reside in the United States on an H-1 visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: May 24, 2002

Harry I. Moatz
Director of Enrollment and Discipline

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